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Letter dated 15 April 2003 from the Permanent Representative of Ukraine to the United Nations addressed to the Chairman of the Committee

I have the honour to submit the report of Ukraine pursuant to paragraph 6 of Security Council resolution 1455 (2003) (see annex).

In addition to the information contained in the report, I would like to communicate that the 1999 International Convention for the Suppression of the Financing of Terrorism entered into force for Ukraine on 5 January 2003. I have the honour to inform also that the Law of Ukraine on Combating Terrorism adopted by the Verkhovna Rada of Ukraine on 20 March 2003 was signed by the President of Ukraine on 14 April 2003 and will enter into force from the date of its publication.

I should be grateful if you would have the text of the present letter and the enclosed report circulated as a document of the Security Council.

(*Signed*) Valeriy **Kuchinsky**
Ambassador
Permanent Representative

03-34953 (E) 140503 150503

Annex to the letter dated 15 April 2003 from the Permanent Representative of Ukraine to the United Nations addressed to the Chairman of the Committee

[Original: Russian]

Updated report of Ukraine on the implementation of the measures introduced under Security Council resolutions 1267 (1999), 1333 (2000) and 1390 (2002), submitted pursuant to Security Council resolution 1455 (2003)

This document contains information about the measures carried out in Ukraine in implementation of the requirements of Security Council resolutions 1267 (1999), 1333 (2000) and 1390 (2002) since the time of the submission of the report on the measures taken by Ukraine to implement resolution 1390 (2002) (see documents S/AC.37/2002/61 and S/AC.37/2002/61/Add.1) and also the reports on the measures taken by Ukraine to implement Security Council resolution 1373 (2001) (see documents S/2001/1330 and S/2002/1030).

On 12 September 2002 the Verkhovna Rada (Parliament) of Ukraine, by act No. 149-IV, ratified the International Convention for the Suppression of the Financing of Terrorism. Thus, Ukraine is now a party to all 12 multilateral international treaties in the sphere of counter-terrorism. On 20 March 2003, the Verkhovna Rada adopted the act on combating terrorism.

On 24 October 2002, the Cabinet of Ministers of Ukraine adopted decree No. 1572 "On approval of the Agreement on cooperation among the Governments of the member States of GUUAM (Republic of Azerbaijan, Georgia, Republic of Moldova, Republic of Uzbekistan and Ukraine) in the sphere of counter-terrorism, organized crime and other dangerous types of crimes".

On 31 March 2003, in order to ensure the implementation of Security Council resolutions 1452 (2002) and 1455 (2003), the Cabinet of Ministers adopted decision No. 186-r "On the implementation of the United Nations Security Council resolutions concerning Osama bin Laden, the al-Qa'idah organization and the Taliban movement (Afghanistan)".

On 5 November 2002, the President of Ukraine signed decree No. 991/2002 on the establishment of a crisis centre for the prevention of crisis situations.

In view of the need for appropriate legislative support for measures to combat terrorism, the relevant ministries and other central executive bodies in Ukraine jointly drew up a programme of State counter-terrorist measures for 2003-2005 which will enter into force after the completion of the relevant domestic procedures.

To increase control of the entry, departure and transit of aliens in the territory of Ukraine and improve the flow of information to units of the Security Service, an integrated, interdepartmental, automated system for the exchange of information concerning individuals, vehicles and also cargoes which cross the State border has been established at the State level.

In order to prevent the use of the territory of Ukraine by international terrorist organizations and ensure the protection of the security of vital sites by the competent bodies:

- In accordanee with the legislation in force, the entry into Ukraine of various categories of aliens involved in the activities of terrorist and extremist organizations is prohibited;

- The storage sites of nuclear materials, radioactive, chemical and toxic substances and other components which may be used to manufacture chemical and bacteriological weapons are monitored;

- Monitoring measures are carried out in relation to individuals and legal entities which may be used by international terrorist organizations for transferring, concealing or replenishing their own financial resources;

- Additional measures are being taken to close off illegal migration routes and, in particular, the border regime and passport/registration control of compliance by aliens with the time limits for their stay in Ukraine have been strengthened;

- The physical protection of diplomatic missions, and also of other foreign missions in the territory of Ukraine, has been strengthened.

Special units of the Security Service, along with the secret services and law enforcement agencies of foreign States, have conducted a special operation to eliminate one of the structural links of an organized criminal group which was engaged in the illicit import of heroin from Afghanistan and Pakistan through the territory of India, Turkey and the United Arab Emirates into Ukraine, and from there to the United States of America.

In order to prevent the financing of terrorism, the Ministry of Internal Affairs of Ukraine, along with other State authorities, has organized monitoring of the activities of business entities whose founders or directors are nationals and immigrants from key regions and countries where radical Islamic centres and organizations are based or operate; 1,300 such commercial structures, including 735 firms headed by nationals of Muslim countries of the Middle East and Central Asia, have been established. In conjunction with units of the State tax administration of Ukraine, 574 such entities have been checked, as well as 112 immovable properties which have been acquired by nationals and immigrants from key regions. No cases of support for the financing of international terrorist organizations by officials of these enterprises and owners of immovable property have been identified.

A permanent exchange of information has been established with the law enforcement agencies of the States members of the Commonwealth of Independent States in relation to persons who are suspected of involvement in the activities of international terrorist and extremist organizations. In cooperation with the diplomatic missions of Ukraine in Saudi Arabia, the Sudan, Pakistan, Afghanistan, Yemen, the Islamic Republic of Iran and Egypt, steps are being taken to establish a system for the exchange of information and effective cooperation with the law enforcement agencies of these countries.

On 1 November 2002, in Kyiv, a high-level expert conference of the countries of Central and Eastern Europe was held concerning joint action in the spheres of border control, border facilities and combating international terrorism, organized crime, illegal migration and drug trafficking. Practical measures are being carried out to implement the outcome of this conference.

In addition, measures are being taken to coordinate Ukraine's visa policy with the norms of the European Union (EU). This is envisaged in the plan/timetable for

the implementation of the provisions of the EU plan of action in the area of justice and home affairs in Ukraine, which was drawn up in implementation of the programme for the adaptation of the legislation of Ukraine to the legislation of EU in priority areas, adopted at the sixth summit meeting between Ukraine and EU (Copenhagen, 4 July 2002).

Areas of improvement of visa policy were also considered in August-September 2002 at two training seminars for workers in internal affairs bodies, which were organized by the Executive Committee of the Office of the United Nations High Commissioner for Refugees. Under the pilot project "Management of migration in Ukraine on the Kharkov-Belgorod area" of the office of the International Organization for Migration in Ukraine, assistance was received in the form of technical support for the internal affairs bodies which are engaged in combating illegal migration.

The Ministry of Internal Affairs of Ukraine regularly informs the relevant central and local executive bodies of changes in the list drawn up in accordance with the provisions of Security Council resolutions 1267 (1999), 1333 (2000) and 1390 (2002) in relation to individuals and entities involved in the activities of Osama bin Laden, the al-Qa'idah organization and the Taliban movement. In turn, the central bodies promptly forward this information to regional institutions.

The National Bank of Ukraine keeps the banks informed about changes in the list and requires banks to monitor all accounts regularly with a view to identifying accounts belonging to individuals and entities named in the list, and also accounts which are used to transfer assets to such individuals and entities.

In the context of the measures taken by the State bodies of Ukraine in fulfilment of the requirements of Security Council resolutions 1267 (1999), 1333 (2000) and 1390 (2002), no accounts or other financial assets have been found that might belong to individuals, undertakings or entities in the list. No instances have been identified of the direct or indirect supply, sale or transfer of arms or related materiel to such individuals, undertakings or entities. No cases have been established of entry or penetration into or transit through the country's territory of individuals named in the list.